

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Texas

The State of Texas

Plaintiff(s)

v.

U.S. Department of Homeland Security, et al.

Defendant(s)

Civil Action No. 2:23-cv-00055

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Troy A. Miller, in his official capacity as Acting Commissioner for US Customs and Border Protection
by registered or certified mail to:
c/o Stephanie Rico, Civil Process Clerk at
Office of US Attorney- WD of Texas
601 N.W. Loop 410
San Antonio, TX 78216-5597

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters
Office of the Attorney General
Special Litigation Division
PO Box 12548, Capitol Station
Austin, TX 78711-2548
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date:

10/26/23



Signature of Clerk or Deputy Clerk

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Civil Action No. 2:23-cv-00055

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Troy A. Miller, in his official capacity as Acting Commissioner for US Customs and Border Protection
 was received by me on *(date)* 10/26/23.

☒ I personally served the summons on the individual at *(place)* c/o Stephanie Rico, Civil Process Clerk at Office of US Attorney- WD of Texas
601 N.W. Loop 410, San Antonio, TX 78216-5597 on *(date)* 10/30/23; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/30/23

/s/ Ryan D. Walters

Server's signature

Ryan D. Walters, Chief for Special Litigation Division

Printed name and title

Office of the Attorney General
 PO Box 12548, Capitol Station
 Austin, TX 78711-2548

Server's address

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7305 6280-Delivered 10/30/23.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™

7004 1160 0000 7305 6280
7004 1160 0000 7305 6280U.S. Postal ServiceTMCERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Roy A. Miller, in his official capacity as Acting
Commissioner for US Customs & Border

(En) Roy Miller Protection

(Re) Stephanie Rico, Civil Process Clerk at Office
(En) of US Attorney- WD of Texas

Total Postage & Fees \$ 601 N W Loop 410

San Antonio 78216

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Roy A. Miller, in his official capacity as Acting
Commissioner for US Customs & Border
Roy Miller ProtectionStephanie Rico, Civil Process Clerk at Office
of US Attorney- WD of Texas

601 N.W. Loop 410

San Antonio TX 78216



9590 9402 6326 0296 0612 16

2. Article Number (Transfer from service label)

7004 1160 0000 7305 6280

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail[®]
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail

- ☐ Priority Mail Express[®]
- ☐ Registered Mail[™]
- ☐ Registered Mail Restricted Delivery
- ☒ Signature Confirmation[™]
- ☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery
(00)



FAQs >

Tracking Number:

Remove X

70041160000073056280

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 10:50 am on October 30, 2023 in SAN ANTONIO, TX 78216.

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Feedback

Delivered

Delivered, Left with Individual

SAN ANTONIO, TX 78216

October 30, 2023, 10:50 am

Out for Delivery

SAN ANTONIO, TX 78246

October 30, 2023, 6:10 am

Arrived at Post Office

SAN ANTONIO, TX 78246

October 30, 2023, 5:27 am

Arrived at USPS Facility

SAN ANTONIO, TX 78246

October 30, 2023, 4:15 am

Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 30, 2023, 4:01 am

Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER
October 30, 2023, 1:28 am

Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX
October 29, 2023, 11:52 pm

Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX
October 29, 2023, 7:45 pm

In Transit to Next Facility

October 29, 2023

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER
October 28, 2023, 8:04 am

Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER
October 28, 2023, 2:05 am

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